

### Remarks

Entry of the amendments, reconsideration of the application, as amended, and allowance of all pending claims are respectfully requested. Claims 16-47 remain pending.

**Applicants hereby request non-entry of the unentered amendments provided in the Response to Final Office Action, mailed on January 27, 2005. This amendment replaces the unentered amendments.**

With the above amendments, applicants have amended the independent claims to explicitly recite the conditional nature of applicants' claimed invention. For example, if a trusted association exists, then card holder involvement in performing card holder verification is suppressed, in that, for example, the card holder does not need to input its personal identification number for verification of the card. Instead, it is automatically obtained and verified for the card holder. However, if the checking indicates no trusted association, then card holder involvement is not suppressed. That is, the card holder is prompted, for instance, for its personal identification number, which is entered by the card holder before proceeding. Support for this amendment can be found in the claims as originally filed, as well as within the specification (e.g., pages 10 & 11, FIG. 2), and thus, no new matter is added.

In the Office Action, dated November 29, 2004, claims 16-47 were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 5,979,773 to Findley, Jr. et al. in view of U.S. Patent No. 6,179,205 to Sloan; and claims 33, 40 and 47 were rejected under 35 U.S.C. 102(e) as being anticipated by Sloan. Applicants respectfully, but most strenuously, traverse these rejections to any extent deemed applicable to the amended claims for the reasons below.

In one aspect, applicants' invention is directed to conditional suppression of card holder verification. As one example, card holder verification dialog is suppressed and card holder verification is performed hidden from the card holder, when a trusted environment is provided. However, if a trusted environment is not provided, then card holder verification proceeds with card holder intervention.

As one particular example, applicants claim a method of controlling card holder verification (e.g., independent claim 16). The method includes, for instance, checking the presence of a trusted association between at least one device and a card usable with the at least one device; and, if the checking indicates the presence of the trusted association, then suppressing involvement of the holder of the card in performing card holder verification, otherwise, if the checking indicates no trusted association, then involving the holder of the card in performing card holder verification. Thus, in this aspect of applicants' claimed invention, a conditional capability is provided for controlling card holder verification. That is, if a trusted association is present, then involvement of a holder of the card in performing card holder verification is suppressed. However, if the trusted association is not present, then card holder verification proceeds, but with card holder intervention. This is not taught or suggested by Sloan or Findley, either alone or in combination.

Findley describes the use of dual cards, in which one card is encoded with digital data fields representative of predetermined information and the second card includes authorization codes for enabling access to an authorized retrieval of selected information from the first card and for displaying the accessed data. Findley infers the presence of a trusted association from analyzing data fields stored in both cards. Findley, however, does not describe, teach or suggest, at the very least, applicants' claimed conditional suppression of card holder verification, in which if there is a trusted association, card holder intervention is suppressed, but if there is no trusted association, then card holder verification proceeds, but with card holder intervention.

In Findley, if there is no trusted association, then an error message is provided. There is no teaching in Findley of proceeding with card holder verification with involvement of the card holder, if there is no trusted association, as claimed by applicants. That is, Findley does not propose a card holder verification technique that handles the discovery of no trusted association. Findley does not describe the procedure being claimed by applicants in which:

If trusted association,  
    Suppress involvement of card holder in card holder  
    verification;  
Else involve card holder in card holder verification.

This conditional processing is not taught in Findley. Instead, in Findley, if there is no trusted association, then an error is presented. Card holder verification ceases, instead of allowing card holder intervention, as claimed by applicants (see, e.g., Col. 3, lines 47-50).

In the Office Action, column 4, lines 39-46 of Findley are cited. However, applicants respectfully disagree that there is a teaching at that location or elsewhere in Findley of conditionally performing card holder verification, in which if there is a trusted association, intervention of the card holder is suppressed, but if there is no trusted association, then card holder intervention is used. The language at column 4 merely indicates that access cards may have pin protection. It indicates that the card is unusable until the correct pin is entered. However, there is no discussion that if there is no trusted association between the cards, then you can continue by having user intervention. In this case, even if a pin is entered and there is no trusted association between the dual cards, an error message is provided and processing is ceased. Again, there is no description, teaching or suggestion in Findley of suppressing intervention, when there is a trusted association, but using intervention, when there is no trusted association. For at least these reasons, applicants respectfully submit that Findley does not teach or suggest one or more aspects of applicants' claimed invention.

Moreover, Sloan does not overcome the deficiencies of Findley. Similar to Findley, Sloan fails to describe, teach or suggest a conditional card holder verification procedure in which intervention is suppressed, if there is a presence of a trusted association, but intervention is used, if such a trusted association does not exist. That is, there is no description, teaching or suggestion in Sloan of suppressing involvement of a card holder in performing card holder verification in the event there is a trusted association, and if there is no trusted association, going forward with card holder verification, but requiring card holder intervention.

In Sloan, the smart card device either issues an unlock command, if it has cached a password for the card identifier, or indicates that it is unable to unlock the application on the smart card if it has no entry for the card. It does not ask the user for authentication information, if no password is found, as claimed by applicants. That is, Sloan fails to distinguish between two classes of devices: one requiring authentication information and the

other not requiring such information. Thus, applicants respectfully submit that Sloan does not describe, teach or suggest one or more aspects of applicants' claimed invention.

Since both Findley and Sloan fail to describe, teach or suggest the conditional aspect of applicants' claimed invention in which involvement of the card holder in performing card holder verification is suppressed, if a trusted association is present, and card holder intervention is used in the card holder verification, if there is no trusted association, applicants respectfully submit that the combination of Findley and Sloan fails to teach or suggest one or more aspects of the present invention.

Based on the foregoing, applicants respectfully request an indication of allowability for claim 16, as well as the other independent claims. Further, the dependent claims are allowable for the same reasons as the independent claims, as well as for their own additional features.

Should the Examiner wish to discuss this case with applicants' attorney, please contact applicants' attorney at the below listed number.

Respectfully submitted,

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